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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DAVID DANIELS, No. CIV S-03-0400 MCE GGH P

11 Plaintiff,

12 v. ORDER

13 W. YOUNT, ET AL.,

14 Defendants.

15 \_\_\_\_\_ /  
16 Plaintiff, a state prisoner proceeding pro se, has filed  
17 this civil rights action seeking relief under 42 U.S.C. § 1983.  
18 The matter was referred to a United States Magistrate Judge  
19 pursuant to 28 U.S.C. § 636(b) (1) (B) and Local General Order No.  
20 262.

21 On June 20, 2005, the magistrate judge filed findings and  
22 recommendations herein which were served on all parties and which  
23 contained notice to all parties that any objections to the  
24 findings and recommendations were to be filed within twenty days.

25 ///

1 Neither party has filed objections to the findings and  
2 recommendations.

3 The court has reviewed the file and finds the findings and  
4 recommendations to be supported by the record and by the  
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED  
6 that:

7 1. The findings and recommendations filed June 20, 2005 are  
8 adopted in full;

9 2. Plaintiff's November 15, 2004, motion for summary  
10 judgment is denied without prejudice;

11 3. Plaintiff's claims for injunctive relief are dismissed  
12 from this action as moot; and

13 4. This action shall proceed against defendants only as to  
14 plaintiff's claims for money damages.

15 DATED: August 18, 2005

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18 MORRISON C. ENGLAND, JR.  
19 UNITED STATES DISTRICT JUDGE  
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